Exhibit 3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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	:	
UNITED STATES OF AMERICA	:	
	:	S5 22 Cr. 673 (LAK)
v.	:	
	:	
SAMUEL BANKMAN-FRIED,	:	
	:	
Defendant.	:	

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EXPERT WITNESS DISCLOSURE OF BRIAN KIM

I.   Background and Qualifications

1.   I am a Director at Guidepost Solutions, specializing in managing, directing and supervising electronic discovery, structured data analytics, and digital forensics both in-house and as an outside counsultant.

2.   I have over 15 years of professional experience in electronic discovery and digital forensic investigations.

3.   I support a variety of clients by conducting digital forensic acquisitions, digital forensic analysis, ediscovery guidance and consultation across the Electronic Discovery Reference Model, and structured data analytics using industry standard tools like EnCase, FTK, Sumuri Recon, SQL Server, and Relativity.

4.   From 2006 to 2011, I was a Director at FTI Consulting, a consulting firm where I specialized in electronic discovery from data acquisition, analysis, processing, review and production. I principally supported corporations involved in litigation and mergers and acquisitions.

5.   From 2011 to 2012, I was a Senior Consultant at Symantec, a software company where I specialized in electronic discovery and implementation of their Clearwell platform. I principally supported the deployment and development of electronic discovery programs at various U.S. federal agencies, including law enforcement.

6.   From 2012 to 2018, I was a Director at iDS, a consulting firm where I provided expert consulting services to various clients, both private and public, including forensic acquisitions, analysis of digital forensic evidence, data analytics and managed the consulting teams. Many of the projects involved analysis of forensic artifacts and metadata.

7.   From 2019 to 2021, I was a consultant at ActiveNav, a software company where I provided consulting services supporting the information governance and data discovery platform used to index and analyze organizations data landscapes for various use cases, including electronic discovery and file analysis.

8.   I have not testified in any trial or deposition in the past four years.

9.   My CV and list of publications for the last 10 years is attached as Kim Appendix A.

10.   My academic education includes the following degrees: B.A. Biology/Psychology, University of Pennsylvania (1997); J.D. Seton Hall University School of Law (2000).

11.   I have no financial interest in the outcome of this case. The billing rate for my work in this matter is $650 per hour, and my fees in this case are not contingent on the opinions presented herein or on the outcome of these legal proceedings.

II.   <u>Scope of Opinion</u>

1.   If called as a witness, I may testify to the following opinions and issues:

- Background testimony concerning document metadata and potential or permissible inferences drawn therefrom.

- Responsive analyses and conclusions to evidence, argument, or analyses presented by the Government of metadata associated with documents or information produced in this litigation.

Dated August 14, 2023

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Brian Kim

Guidepost

BRIAN Y. KIM
DIRECTOR

EDUCATION
- Juris Doctor, Seton Hall University School of Law,
- Bachelor of Arts, Biology/Psychology, University of Pennsylvania

AREAS OF EXPERTISE
- Data Discovery
- Remediation
- Forensic Data Analytics
- Electronic Discovery
- Information Governance
- Internal Investigations

Brian Kim is a director, with over 15 years of experience in Data Analytics. Prior to joining Guidepost, he worked as a Professional Services Lead overseeing implementation of data discovery and remediation engagements. Mr. Kim also worked as a director, responsible for nationwide consulting operations leading structured data analytics, forensics, informatic governance, and eDiscovery consulting groups. He provided consulting services for other data analytics projects, including workflow and analysis development, budgeting, and project management. Mr. Kim also served as a senior consultant overseeing implementation of the Clearwell eDiscovery platform for public and private sector clients. He worked to customize platforms for maximum efficiency and productivity for clients. Mr. Kim assessed client infrastructure and eDiscovery practices to advise clients of best practices including legal hold, data collections and preservation, and production. He also developed customized workflows from legal hold through production. As a director, Mr. Kim managed and led teams of consultants on subjects including civil litigation, as well as SEC, DOJ, and internal investigations. He developed and facilitated the litigation and investigative processes for corporate internal investigations in response to FCC, SEC and DOJ investigations.

SELECT TESTIFYING EXPERIENCE

Declaration regarding forensic website collection and preservation, 1322-1326 18th Street, LLC v. OCA Property LLC, v Richard Gersten, Superior Court for the District of Columbia Civil Division, Case No. 2017 CA 007497 B, May 2018.

Declaration regarding forensic mobile device collection and analysis, Carome v Carome, Superior Court for the District of Columbia Civil Division, Civil Action No. 2017 CPO 004759, February 2018.

Expert report regarding structured data analysis and damages calculations, Owner Operator Independent Drivers Association, Inc. et al v. New York State Department of Taxation and Finance, Supreme Court of the State of New York, County of Albany, Index No.: 5551-13, RJI NO.: 01-13-111950, August 2016.

Expert report regarding structured data analysis and damages calculations, Owner Operator Independent Drivers Association, Inc., et al v. Comerica Bank, U.S. District Court, Southern District of Ohio, Case No. 2:05-cv-0056, August 2015.

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BRIAN Y. KIM
DIRECTOR

Declaration regarding forensic analysis protocols, Klipsch Group, Inc. v. Big Box Limited et al, U.S. District Court, Southern District of New York, Case No. 12-CIV-6283 (VSB)(MHC), September 2014.

Testimony regarding computer forensics before court appointed special master, Bro-Tech Corporation et al v. Thermax, Inc. et al, U.S. District Court, Eastern District of Pennsylvania, Case No. 05-CV-2330, 2009.

SELECT PUBLICATIONS & SPEAKING ENGAGEMENTS
B. Kim & J. Ackert, guest lecture on eDiscovery and IoT at William and Mary Law School (September 2017).

B. Kim & T. Craparo, After the Data Deluge, interview, Metropolitan Corporate Counsel (September 2016).

B. Kim & C. Platt, Structured What? Leveraging structured data to build a better story, Metropolitan Corporate Counsel (November 2015).

Masters Conference, "Predictive Analytics & Its Effect on Big Data," (July 2014).